

**From:** Kevin Ruml  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

I am writing in to let you know my point of view on why the settlement agreement is completely inadequate. I am in the computer industry, and have my MCSE (Microsoft Certified Systems Engineer), which I received to advance my salary at my previous job. I got it shortly after entering the computer field, because Microsoft was almost all we worked with - there was some Novell, but not worth mentioning. Prominent in the MCSE training books are sections on migrating to Microsoft servers from Novell servers. It seemed pretty neat at the time that Microsoft made it so easy. As I continued on working with computers, I learned a little more about Novell, and then got into Linux.

I realized that Microsoft was really a substandard operating system for servers, but completely owned the desktop. With this they did to me what they probably do to a great many computer technicians - lead them up the Microsoft food chain to their server operating system and away from anything else. A good friend of mine did this also, but unlike him I learned more than what Microsoft told me, and learned there was more and better out there. Most people using computers do not learn more, but just enough to do their job. They do not care, or necessarily need, to know more. So the technicians and administrators do what they are told by their bosses, who use Microsoft on the desktop and say to use Microsoft, or believe what Microsoft tells them about their products and wants to use them.

Is this a bad thing? Not necessarily, until you look at what Microsoft has done in the past. They were handed their desktop operating system monopoly by IBM, then proceeded to continually illegally maintain that monopoly. Numerous stories, from the DRDOS issues to the more recent Netscape Navigator, show how Microsoft killed other products and companies. I think most people do not want to destroy Microsoft, just to make them compete fairly on the merits of their products. The remedies in the proposed settlement does not accomplish this. There are too many loopholes that even a simple change of terminology can get through, and not take into account possible future abuses. All remedies should take into account and apply to any new products Microsoft releases (XBOX, .NET, etc.).

So what to do? I do think that monetary punishment is necessary. Microsoft has been very successful and made a great deal of money with their illegal practices, and should be made to pay some back. How much and to whom? I do not know, but maybe free software to all U.S. government agencies for a period of time (Five years? Ten years? How long were they abusing their monopoly?) would be a good start. I am sure the U.S. government has been one of Microsoft's largest customers, if not THE largest. This would basically be giving the U.S. taxpayers, proven in court to have been harmed by Microsoft, money without all the administrative problems.

And as for remedies to keep them from abusing their monopoly in the future, I think the best idea is to simply have them reveal all Windows APIs and Office formats without discrimination. It should be published on their

website for all to use freely for whatever reason. Standard "document", "spreadsheet", "presentation", etc. formats that every program uses, regardless of what company made it, would mean that the program that worked the best with the best features would do the best in the marketplace. That is competition, not trying to keep up with changes in Microsoft Office formats to keep upgrades regular. Microsoft Office is probably the biggest reason they keep their monopoly. Yes, it is available on the Mac, but the difference in price from Macs to PCs makes the difference to companies and consumers.

Also, Windows should not be pre-installed on all computers as default. A choice should be offered so that Microsoft does not get money for every computer sold. The consumer should have the choice of operating system, or none at all. Just a few thoughts.

Thank you for your time.

Kevin Ruml